

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 60th LEGISLATURE - REGULAR SESSION

COMMITTEE ON STATE ADMINISTRATION

Call to Order: By Chairman Dennis Himmelberger, on March 30, 2007 at 8:00 A.M., in Room 455 Capitol.

ROLL CALL

Members Present:

Rep. Dennis Himmelberger, Chairman (R)
Rep. Duane Ankney, Vice Chairman (R)
Rep. Hal Jacobson, Vice Chairman (D)
Rep. Gary Branae (D)
Rep. Mary Caferro (D)
Rep. Sue Dickenson (D)
Rep. Gordon R. Hendrick (R)
Rep. Teresa K. Henry (D)
Rep. Pat Ingraham (R)
Rep. William J. Jones (R)
Rep. Bruce Malcolm (R)
Rep. Walter McNutt (R)
Rep. Mike Phillips (D)
Rep. Veronica Small-Eastman (D)
Rep. Franke Wilmer (D)

Members Excused: Rep. Debby Barrett
Rep. Alan Olson
Rep. Scott Sales

Members Absent: None

Staff Present: Dee Barfknecht, Committee Secretary
Sheri Heffelfinger, Legislative Branch

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing: None
Executive Action: SB 172, SB 181, SB 253, SB 374
SB 443, SB 489, SB 497, SB 509

EXECUTIVE ACTION ON SB 172

00:01:50 **Motion:** Rep. Ankney moved that **SB 172 BE CONCURRED IN.**

00:02:17 **Motion:** Rep. Ankney moved that **SB 172 BE AMENDED.**
[EXHIBIT](#)(sth68a01)

Discussion:

00:03:27 Sheri Heffelfinger
00:07:59 Chairman Himmelberger

00:08:07 **Vote:** Motion that **SB 172 BE AMENDED** carried unanimously by voice vote, 18-0. Reps. Sales, Caferro, Barrett and Olson voted by proxy.

00:08:51 **Motion/Vote:** Rep. Ankney moved that **SB 172 BE CONCURRED IN AS AMENDED.** Motion carried unanimously by voice vote, 18-0. Reps. Sales, Caferro, Olson and Barrett voted by proxy. Rep. Olson will carry the bill.

EXECUTIVE ACTION ON SB 181

00:10:03 **Motion:** Rep. Ingraham moved that **SB 181 BE CONCURRED IN.**

Discussion:

00:10:13 Rep. Ingraham

00:10:38 **Vote:** Motion that **SB 181 BE CONCURRED IN** carried unanimously by voice vote, 18-0. Reps. Sales, Caferro, Barrett and Olson voted by proxy. Rep. Ripley will carry the bill.

EXECUTIVE ACTION ON SB 253

00:11:37 **Motion:** Rep. Wilmer moved that **SB 253 BE CONCURRED IN.**

Discussion:

00:11:50 Rep. Hendrick
00:12:37 Ms. Heffelfinger
00:12:54 Rep. Phillips
00:13:52 Chairman Himmelberger

00:13:58 Rep. Wilmer
00:14:31 Rep. Dickenson
00:15:45 Rep. Henry

00:16:36 **Vote:** Motion that **SB 253 BE CONCURRED IN** carried by voice vote, 14-4. Reps. Malcolm, Jones, Barrett and Sales voted no. Reps. Sales, Olson and Barrett voted by proxy. Rep. Wilmer will carry the bill.

EXECUTIVE ACTION ON SB 374

00:18:09 **Motion:** Rep. Ingraham moved that **SB 374 BE CONCURRED IN**.

Discussion:

00:18:16 Rep. McNutt
00:18:33 Ms. Heffelfinger
00:18:39 Rep. McNutt
00:19:08 Chairman Himmelberger
00:19:31 Rep. McNutt
00:19:38 Rep. Henry
00:20:02 Rep. Ingraham

00:20:22 **Vote:** Motion that **SB 374 BE CONCURRED IN** carried unanimously by voice vote, 18-0. Reps. Sales, Olson and Barrett voted by proxy. Rep. Koopman will carry the bill.

EXECUTIVE ACTION ON SB 443

00:21:20 **Motion:** Rep. Ingraham moved that **SB 443 BE CONCURRED IN**.

Discussion:

00:21:39 Rep. Ingraham

00:22:17 **Vote:** Motion that **SB 443 BE CONCURRED IN** carried unanimously by voice vote, 18-0. Reps. Sales, Olson and Barrett voted by proxy. Rep. Olson will carry the bill.

EXECUTIVE ACTION ON SB 489

00:23:21 **Motion:** Rep. Ankney moved that **SB 489 BE CONCURRED IN.**

00:24:08 **Motion:** Rep. Ankney moved that **SB 489 BE AMENDED.**
EXHIBIT(sth68a02)

Discussion:

00:25:17 Ms. Heffelfinger
00:29:30 Chairman Himmelberger
00:29:37 Ms. Heffelfinger
00:29:50 Rep. Henry
00:31:03 Chairman Himmelberger
00:31:18 Rep. Phillips
00:31:24 Chairman Himmelberger

EXHIBIT(sth68a03)

00:32:03 Rep. Phillips
00:32:13 Rep. Jones
00:32:47 Rep. Phillips
00:32:58 Rep. Dickenson
00:33:23 Ms. Heffelfinger
00:33:59 Rep. Dickenson
00:35:04 Rep. McNutt
00:35:25 Chairman Himmelberger
00:36:11 Rep. Phillips
00:36:34 Ms. Heffelfinger
00:37:11 Rep. McNutt
00:38:10 Rep. Ankney
00:38:24 Rep. Malcolm
00:38:29 Rep. Phillips
00:39:03 Ms. Heffelfinger

00:39:28 **Vote:** Motion that **SB 489 BE AMENDED** carried by voice vote, 17-1. Rep. Jones voted no. Reps. Sales, Olson and Barrett voted by proxy.

00:40:31 **Motion:** Rep. McNutt moved that **SB 489 BE CONCURRED IN AS AMENDED.**

Discussion:

00:41:01 Rep. Dickenson
00:41:16 Rep. Jones
00:41:45 Chairman Himmelberger
00:42:42 Rep. Hendrick
00:42:56 Rep. Wilmer
00:43:45 Rep. McNutt

00:45:25 Chairman Himmelberger
 00:45:31 Rep. McNutt
 00:45:35 Rep. Jones
 00:46:35 Chairman Himmelberger
 00:46:41 Rep. Jones
 00:47:19 Ms. Heffelfinger
 00:48:18 Rep. Malcolm
 00:48:57 Rep. Wilmer
 00:49:35 Rep. Malcolm
 00:49:44 Rep. Wilmer
 00:50:09 Rep. Malcolm
 00:50:27 Rep. McNutt
 00:51:24 Rep. Malcolm
 00:51:46 Rep. Jones
 00:52:24 Rep. Wilmer
 00:52:53 Chairman Himmelberger

 00:53:13 **Vote:** Motion that **SB 489 BE CONCURRED IN AS AMENDED**
 carried by roll call vote, 16-2. Reps. Caferro and
 Jones voted no. Reps. Sales, Olson and Barrett voted
 by proxy. Rep. McNutt will carry the bill.

 00:54:52 Break
 01:10:49 Reconvene

EXECUTIVE ACTION ON SB 497

01:11:07 **Motion:** Rep. Jacobson moved that **SB 497 BE CONCURRED**
IN.

Discussion:

01:11:21 Rep. Henry
 01:13:10 Rep. McNutt
 01:13:35 Rep. Henry
 01:14:02 Ms. Heffelfinger
 01:15:06 Rep. Caferro
 01:15:10 Ms. Heffelfinger
 01:15:26 Chairman Himmelberger

01:15:34 **Motion:** Rep. Caferro moved that **SB 497 BE AMENDED.**
EXHIBIT(sth68a04)

Discussion:

01:16:17 Rep. Caferro
 01:18:04 Chairman Himmelberger

01:18:14 Ms. Heffelfinger
01:21:23 Rep. Phillips
01:22:01 Rep. Caferro
01:22:45 Rep. Ingraham
01:23:23 Rep. Wilmer
01:23:49 Rep. Caferro
01:24:28 Rep. Ankney
01:24:46 Rep. Wilmer
01:25:17 Rep. Henry
01:26:00 Rep. Malcolm
01:27:48 Rep. Caferro
01:28:41 Rep. Malcolm

01:29:09 **Vote:** Motion that **SB 497 BE AMENDED** failed by roll call vote, 9-9. Reps. Jacobson, Branae, Caferro, Dickenson, Henry, Jones, Phillips, Small-Eastman and Wilmer voted aye. Reps. Sales, Barrett and Olson voted by proxy.

Discussion:

01:31:21 Chairman Himmelberger
01:32:10 Rep. Hendrick
01:32:34 Chairman Himmelberger
01:33:08 Rep. Hendrick
01:33:23 Rep. Wilmer
01:33:57 Chairman Himmelberger
01:34:31 Rep. Wilmer
01:34:44 Rep. Henry
01:36:41 Rep. Phillips
01:37:04 Rep. Ankney
01:37:47 Rep. Henry
01:38:12 Rep. Jones
01:38:48 Chairman Himmelberger
01:40:08 Rep. McNutt
01:40:36 Rep. Malcolm
01:40:58 Rep. Henry
01:41:38 Ms. Heffelfinger
01:44:42 Rep. Ankney
01:45:08 Chairman Himmelberger
01:45:18 Rep. McNutt
01:45:40 Rep. Caferro
01:45:59 Rep. Small-Eastman
01:47:16 Rep. Henry
01:47:56 Rep. Caferro
01:48:15 Ms. Heffelfinger

01:48:35 **Motion:** Rep. Henry moved that **SB 497 BE AMENDED**.

01:50:18 **Motion/Vote:** Rep. Dickenson moved that **PARAGRAPH 6, EXHIBIT 4, BE SEGREGATED OUT** carried by roll call vote, 17-1. Rep. Sales voted no. Reps. Sales, Barrett and Olson voted by proxy.

01:54:40 **Motion/Vote:** Rep. Henry moved that **PARAGRAPH 3, EXHIBIT 4, BE SEGREGATED OUT** carried by voice vote, 17-1. Rep. Sales voted no. Reps. Sales, Barrett and Olson voted by proxy.

01:56:14 **Motion:** Rep. Caferro moved that **PARAGRAPHS 1, 2 and 4, EXHIBIT 4, BE ADOPTED.**

Discussion:

01:56:30 Chairman Himmelberger

01:57:03 Rep. Caferro withdrew her motion

01:58:24 **Motion/Vote:** Rep. Caferro moved that **PARAGRAPHS 1 and 2 BE ADOPTED** carried by voice vote, 17-1. Rep. Sales voted no. Reps. Sales, Barrett and Olson voted by proxy.

Discussion:

01:59:02 Rep. Small-Eastman

02:00:07 Rep. McNutt

02:00:14 Rep. Small-Eastman

02:00:22 Chairman Himmelberger

02:00:34 Rep. Small-Eastman

02:00:41 **Motion:** Rep. Small-Eastman moved that **A CONCEPTUAL AMENDMENT TO PARAGRAPH 5, EXHIBIT 4,** to strike, "Commission in consultation with the."

Discussion:

02:01:04 Chairman Himmelberger

02:01:43 Rep. Phillips

02:02:20 **Vote:** Motion that **A CONCEPTUAL AMENDMENT TO PARAGRAPH 5, EXHIBIT 4** carried by voice vote, 17-1. Rep. Sales voted no. Reps. Sales, Barrett and Olson voted by proxy.

Discussion:

02:02:38 Ms. Heffelfinger
02:03:01 Rep. Small-Eastman
02:03:28 Rep. Ankney

02:03:47 **Vote:** Motion that **SB 497 BE CONCURRED IN AS AMENDED** carried by voice vote, 17-1. Rep. Sales voted no. Reps. Sales, Olson and Barrett voted by proxy. Rep. Sands will carry the bill.

EXECUTIVE ACTION ON SB 509

02:05:31 **Motion:** Rep. Phillips moved that **SB 509 BE CONCURRED IN.**

02:05:49 **Motion:** Rep. Phillips moved that **SB 509 BE AMENDED.**
[EXHIBIT\(sth68a05\)](#)

Discussion:

02:06:14 Rep. Phillips
02:07:00 Rep. Dickenson
02:07:59 Chairman Himmelberger
02:08:05 Ms. Heffelfinger

02:08:50 **Vote:** Motion that **SB 509 BE AMENDED** carried unanimously by voice vote, 18-0. Reps. Sales, Wilmer, Olson and Barrett voted by proxy.

02:09:23 **Motion:** Rep. Phillips moved that **SB 509 BE CONCURRED IN AS AMENDED.**

02:09:55 **Motion/Vote:** Motion **TO AMEND SB 509** carried unanimously by voice vote, 18-0. Reps. Sales, Wilmer, Olson and Barrett voted by proxy.

[EXHIBIT\(sth68a06\)](#)

Discussion:

02:10:56 Rep. Dickenson
02:13:11 Rep. Hendrick
02:14:23 Rep. Ankney
02:15:22 Rep. Phillips
02:15:39 Chairman Himmelberger
02:15:48 Ms. Heffelfinger
02:16:45 Chairman Himmelberger

02:16:56 Ms. Heffelfinger

02:17:32 Rep. McNutt

02:17:43 **Vote:** Motion that **SB 509 BE CONCURRED IN AS AMENDED** failed by roll call vote, 7-11. Reps. Jacobson, Branae, Caferro, Henry, Jones, Phillips and Wilmer voted aye. Reps. Sales, Wilmer, Olson and Barrett voted by proxy.

02:19:04 **Substitute Motion/Vote:** Rep. McNutt made a substitute motion that **SB 509 BE TABLED**. Substitute motion carried unanimously by voice vote, 18-0. Reps. Sales, Wilmer, Olson and Barrett voted by proxy.

Additional Discussion Regarding Pension Bills:

02:20:08 Chairman Himmelberger

02:20:15 **Motion/Vote:** Rep. Dickenson moved to recommend a committee study resolution bill on the pension bills. Motion carried by voice vote, 17-1. Rep. Caferro voted no. Reps. Sales, Wilmer, Olson and Barrett voted by proxy.

Discussion:

02:21:02 Ms. Heffelfinger

02:21:08 Rep. Phillips

Additional Exhibits:

Document pertaining to HB 562, Hearing date 02/08/07

[EXHIBIT](#)(sth68a07)

ADJOURNMENT

02:21:49 Adjournment

REP. DENNIS HIMMELBERGER, Chairman

DEE BARFKNECHT, Secretary

DH/db

Additional Exhibits:

EXHIBIT ([sth68aad.pdf](#))